

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

YOLANDA ALDERETE,

Plaintiff,

v.

CIV 19-0643 WJ/KBM

ANDREW SAUL,  
Commissioner of Social  
Security Administration,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition ("PF&RD") on May 5, 2020, recommending that the Court grant Defendant's Motion to Remand for Further Administrative Proceedings Pursuant to Sentence Four of 42 U.S.C. § 405(g). *Doc.* 35 at 2. In making this recommendation, the Magistrate Judge found that the ALJ's decision was not supported by substantial evidence and that the ALJ did not apply the correct legal standards in reaching a partially favorable disability determination. *Id.* at 1-2. The PF&RD notifies the parties of their ability to file objections and that failure to do so waives appellate review. *Id.* at 2. To date, neither party has filed objections.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc.* 35) is **ADOPTED**;
2. Defendant's Motion to Remand for Further Administrative Proceedings

Pursuant to Sentence Four of 42 U.S.C. § 405(g) (Doc 32) is **GRANTED**;

and

3. The Court will remand the case to the Commissioner of the Social Security Administration pursuant to 42 U.S.C. § 405(g), and the agency will reconsider Plaintiff's claim.



A handwritten signature in black ink, appearing to read "Wm J. Murphy".

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CHIEF UNITED STATES DISTRICT JUDGE